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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,655	01/22/2002	Joseph Raben		8051

7590

06/19/2003

Joseph Raben  
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Barrington, RI 02806

EXAMINER

CAPRON, AARON J

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 06/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.		Applicant(s)	
	10/051,655		RABEN, JOSEPH	
	Examiner		Art Unit	
	Aaron J. Capron		3714	

-- Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2002.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

An examination of this application reveals that applicant is unfamiliar with patent prosecuting procedure. Applicant is reminded that the revision of the specification and claims to present the application in proper form is required. While an application can be amended to make it clearly understandable, no subject matter can be added that was not disclosed in the application as originally filed.

Applicant is advised to arrange the content of the specification as described below:

#### Content of Specification

- (a) Title of the Invention. (See 37 C.F.R. § 1.72(a)). The title of the invention should be placed at the top of the first page of the specification. It should be brief but technically accurate and descriptive, preferably from two to seven words.
- (b) Cross-References to Related Applications: See 37 C.F.R. § 1.78 and section 201.11 of the M.P.E.P. This relates to any other applications that Applicant has pending before the Patent Office.
- © Statement as to rights to inventions made under Federally sponsored research and development (if any): See section 310 of the M.P.E.P.
- (d) Background of the Invention: The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field".
  - (2) Description of the Related Art: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art".
- (e) Summary: A brief summary or general statement of the invention as set forth in 37 C.F.R. § 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of

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the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

- (f) Brief Description of the Drawing(s): A reference to and brief description of each of the drawing figure(s) as set forth in 37 C.F.R. § 1.74.
- (g) Description of the Preferred Embodiment(s): A description of the preferred embodiment(s) of the invention as required in 37 C.F.R. § 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. This item may also be titled "Best Mode for Carrying Out the Invention". Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication, which adequately describes the subject matter.
- (h) Claim(s) (See 37 C.F.R. § 1.75): A claim may be typed with the various elements subdivided in paragraph form. There may be plural indentations to further segregate subcombinations or related steps. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent cited.
- (I) Abstract: The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said", should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," *etc.*

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains.

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If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure.

If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement.

In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof.

If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following: (1) if a machine or apparatus, its organization and operation; (2) if an article, its method of making; (3) if a chemical compound, its identity and use; (4) if a mixture, its ingredients; (5) if a process, the steps. Extensive mechanical and design details of apparatus should not be given.

As per 37 CFR 1.52(b), the application papers must be plainly written (preferably typed) on but one side of the paper. The size of all sheets of paper should be 8 to 8½ by 10½ to 13 inches (20.3 to 21.6 cm by 26.6 to 33.0 cm). Margins of at least approximately 1 inch on the left hand side and ¾ inch on the top must be reserved on each page. The lines on each page should be double spaced to permit the insertion of amendment. The pages of application, including the claims and abstract should be numbered consecutively, starting with 1, the numbers being centrally located preferably below the text.

If Applicant wishes to continue to prosecute this patent application, applicant must reply in writing. It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

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1. Serial number (checked for accuracy).
2. Group art unit number (copied from filing receipt or most recent Office Action).
3. Filing date.
4. Name of the examiner who prepared the most recent Office action.
5. Title of invention.
6. Name of Applicant.

Applicant's reply should identify the Office Action the amendment is in response to by its mailing date or paper no. and must specifically request further examination and reconsideration. Applicant or Applicant's registered representative must sign the reply.

In a reply to an Office Action, Applicant can amend the specification, drawings and claims to overcome objections and rejections as well as argue against any position taken by the Examiner. Applicant's arguments and other pertinent comments should appear under the heading "REMARKS". In Applicant's remarks, applicant must point out each error, if any, applicant believes the Examiner has made in the current Office Action and/or how any amendments Applicant has made to the specification, drawings and claims overcome the Examiner's objections and rejections. Applicant must respond to each and every ground of rejection and objection raised in the current Office Action.

To overcome the objection and rejection for lack of an enabling disclosure, Applicant can argue that the holding of non-enabling by the Examiner is in error. To be persuasive, however, such an argument must point out where, in the specification as originally filed, the specification provides the necessary detailed disclosure for supporting the claimed invention. Alternatively, the Applicant could rebut the Examiner's holding of non-enabling by submitting evidence that the disclosure as it now stands is sufficient to enable an artisan, of ordinary skill, to make and use the invention. Such evidence should take the form of patents or literature published before the filing date of Applicant's application. Alternatively, the evidence could take the form of one or

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more affidavits by skilled in the art, stating facts, and on the basis of their knowledge and skill, establish that, on or before the filing date of Applicant's application, one of ordinary skill in the art could make and use the claimed invention from reading the specification without undue experimentation.

In a response in which Applicant intends to overcome a prior art rejection, Applicant may submit amendments to the claims along with arguments and remarks or rely solely on arguments. A general statement that the claims are patentable will not be sufficient to overcome a rejection. The Patent Rules require Applicant to specifically point out the claim language that unobviously distinguishes the claimed invention over the prior art cited in the Examiner's rejection.

Applicant can amend the specification and drawings by sending the Office a signed letter directing the Office to make the specified alterations. Applicant must specify the exact words to be stricken or added and the precise point in the specification (page and line number) where the changes are to be made by the amendment. Under no circumstances may an amendment introduce new subject matter to the specification, drawings or claims. New claims may be submitted but must be numbered sequentially with the last numbered claim currently pending. As per 37 C.F.R. § 1.121(a), Applicant may amend claims by specifically identifying the exact word or words to be entered or stricken. There are some restrictions, see 37 C.F.R. § 1.121<sup>©</sup> below:

A particular claim may be amended in the manner indicated in paragraph (a) of 37 C.F.R.

§ 1.121 to the extent of corrections in spelling, punctuation, and typographical errors.

Additional amendments in this manner will be admitted provided the changes are limited

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to: (1) deletions and/or (2) the addition of no more than five words in any one claim.

Any amendment submitted with instructions to amend particular claims but failing to conform to the provisions of paragraphs (b) and © of 37 C.F.R. § 1.121 may be considered nonresponsive and treated accordingly.

Lengthy amendments to the claims should be made in accordance with 37 C.F.R.

§ 1.121(b) which states:

Except as otherwise provided herein, a particular claim may be amended only by directions to cancel or by rewriting such claim with underlining below the word or words added and brackets around the word or words deleted. The rewriting of a claim in this form will be construed as directing the cancellation of the original claim; however, the original claim number followed by the parenthetical word "amended" must be used for the rewritten claim. If a previously rewritten claim is rewritten, underlining and bracketing will be applied in reference to the previously rewritten claim with the parenthetical expression "twice amended", "three times amended", *etc.*, following the original claim number.

If Applicant submits a rewritten claim, it must be identified by the original claim number followed by the parenthetical word "amended", and words inserted should be underlined and words to be deleted should be in brackets [like this]. Additionally the applicant is required to submit a copy of the rewritten claim without any editing marks.

***Oath/Declaration***



The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

--It does not identify the city and either state or foreign country of residence of each inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

--It does not provide a date that the oath or declaration was signed.

### *Claim Objections*

Claims 1-16 are objected to because of the following informalities:

Referring to claims 1-16, Examiner notes that the claim language appears to be a lengthy preamble recitation without a body of definitive features/steps. Alternatively, the Examiner suggests changing the independent claims (claims 1, 14 and 16) to recite "An electronic device comprising: {the listed features of the claim}" and the dependent claims (claims 2-13 and 15) to recite "An apparatus of claim 1, further comprising: {the listed features of the claim}".

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 14 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with

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which it is most nearly connected, to make and/or use the invention. A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.). When claims depend on a recited property, a fact situation comparable to Hyatt is possible, where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor.

### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 14 and 16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The invention, as claimed, is not a novel process, machine, manufacture or a composition of matter. Please refer to the claim objections above in order to overcome this issue.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 14 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Walker et al. (U.S. Patent No. 5,921,864; hereafter "Walker").

Walker discloses a device that has means to permit competitive play amongst two or more player, either in proximity or remotely (2:59-65).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7, 11 and 13 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Anderson et al. (U.S. Patent No. 6,364,766; hereafter "Anderson").

Referring to claim 1, Anderson discloses an enhanced acrostic puzzle that can be played by one or more players on any of computers or similar device as an interactive television game show (Figures 13-18).

Referring to claim 2, Anderson discloses a tray of tiles bearing letters of the alphabet (Figure 13), each tray of tiles having a value (Figure 13, Bonus 70 for example, or each letter having a value 5:23-25) and a counter to display the current score when the letters are entered into squares adjacent to clues or into a grid according to clues provided (5:29-34).

Referring to claim 3, Anderson discloses that the value of the games can get bigger based on whether a player gets a working bee bonus and then a queen bee bonus (6:10-16).

Referring to claim 4, Anderson discloses that the player's score increases as the player correctly enters the letter (each letter having a value 5:23-25).

Referring to claims 7 and 11, Anderson discloses means to indicate which letters have been selected for particular squares by showing a copy of the tile being carried by an animated figure from its original position to the designated square and means to indicate which player has selected a letter by showing a series of icons or cartoons moving from the player's face to the chosen letter or position (Figures 15 and 16).

Referring to claim 13, Anderson discloses means to randomly select and conceal from among the letters a "Lucky Letter" which can add bonus to the score of the player who unknowingly selects it (5:25-34, 5:63-6:15).

Referring to claim 8, Anderson discloses means to replace clues with visual (1:57-62).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Applicant's Admission.

Referring to claim 1, Walker discloses an enhanced interactive puzzle game (2:53-58) which can be played by one or more player (2:59-65) as an interactive competition relating to a game show (2:15-19 and the games of 1:11-13), and a word game that uses clues to facilitate solving the hidden phrase, wherein the clues are used to figure out the correct answer by providing a related topic or general answer having some connection or relevance to the phrase (2:53-58), but does not specifically state an acrostic type puzzle game. However, the Applicant admits that prior art includes the use of an acrostic game over the Internet (pages 4-5, paragraph 3) in order to provide an enhanced acrostic game to many remote users. The references are analogous since both Walker and the Applicant's Admission disclose a network game that uses a point based word game that uses clues that are associated with the phrase to solve the phrase and win the game. One would be motivated to combine the references in order to provide an acrostic player with a way to play against other players and be rewarded for their skill. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an acrostic game into Walker in order to provide an acrostic player with a way to play against other players and be rewarded for their skill. Further, since Walker discloses his game having Internet access, one could use the game to play the game at jpgames.com.

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Referring to claim 2, Walker discloses a display on a computer (Figure 2) that displays a tray of tiles bearing the letter of the alphabets (Figure 2, item 42) and the values of the letters (A=8, B=3, etc.) and a counter to display the current score (Figure 2, item 38) when the letters are entered into squares adjacent to clues or into a grid according to clues provided (Figure 2, item 32).

Referring to claims 3-4, Walker in view of Applicant's Admission disclose that the correct letters placed into the phrase increase the player's score (Applicant's Admission, page 4-5, paragraph 3) and that letters are entered by the player into selected squares to form words in the clues and the grid (as shown above with respect to Walker and the game of acrostic).

Referring to claim 5, Walker discloses that a player is deducted points if an incorrect letter is used (5:7-9).

Referring to claim 6, Walker discloses movement of a tile is accompanied by sound effects (5:3-7).

Referring to claim 8, Walker discloses that the clues are visual (5:29-36). Walker's clues encompass at least words that are considered as a visual form of a clue.

Referring to claim 9, Walker implicitly discloses demographic information such as age or region in order to verify whether the player is old enough to gamble to win a prize and/or the address of the player in order for the company to send a check to the player in case the player wins an award and a player's past performance data for three games (6:53-7:4).

Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Applicant's Admission as applied to claims 1-6 and 8-9 above, and further in view of Sitrick (U.S. Patent No. 4,521,014) and StreetFighter II.

Referring to claim 10 and 12, Walker in view of Applicant's Admission disclose a device that utilizes a tournament type environment where players can compete for prizes (Walker 6:37-4), but does not disclose showing the faces of the contestants. However, Sitrick discloses a game where the game uses digitized images of each user's face or another shape (claim 12, any user using the Internet can be outside of the studio) as distinguishable representations of the user (abstract). One would be motivated to combine the references in order to provide a unique representation of each user amongst a large array of users. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Sitrick's use of facial images of users into the tournament game of Walker and Applicant's Admission in order to provide a unique representation of each user amongst a large array of users. Walker in view of Applicant's Admission and Sitrick does not disclose enlarging the face of the active player over the inactive players. However, Streetfighter II discloses enlarging the head of the active player (Ryu's head) in order to distinguish the user's representation over the non-user representations. One would be motivated to combine the references in order to clearly distinguish which player the user wants to use. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Streetfighter II's enlarging a current player into the invention of Walker in view of Applicant's Admission and Sitrick in order to clearly distinguish which player the user wants to use.

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Claims 7, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Applicant's Admission as applied to claims 1-6 and 8-9 above, and further in view of Siegel (U.S. Patent No. 5,799,267).

Referring to claims 7, 11 and 15, Walker in view of Applicant's Admission disclose a computer that is used to select letters, but does not disclose an icon to select a chosen letter or position. However, Siegel discloses that a computer can use a mouse (7:57-8:8) that correlates to a pointer to select letters (Figure 1) in order to use a talking dictionary (abstract). The Examiner views the mouse pointer as being an animated figure. One would be motivated to combine the references in order provide additional educational materials to help children and or illiterate adults. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the talking dictionary of Siegel into the invention of Walker and Applicant's Admission in order to provide additional educational materials to help children and or illiterate adults.

Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Applicant's Admission as applied to claims 1-6 and 8-9 above, and further in view of Von Kohorn (U.S. Patent No. 5,697,844).

Referring to claim 15, Walker in view of Applicant's Admission disclose a device that utilizes an enhanced interactive acrostic puzzle, but does not disclose that the device can be wireless. However, Von Kohorn discloses an interactive game show that allows for people to play the game through a wireless connection (113:4-16). One would be motivated to combine the references in order to provide a wireless electronic device that would offer more flexibility



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for a user. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a Von Kohorn's wireless device into the electronic device of Walker in view of Applicant's Admission in order to provide flexibility for the user.


### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron J. Capron whose telephone number is (703) 305-3520. The examiner can normally be reached on M-Th 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

ajc  
June 13, 2003



John M Hotelling